

Lincoln, Abraham
Lincoln Interprets
the Constituion

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The **Constitution** OF THE **UNITED STATES**

PREAMBLE

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America

ARTICLE I

THE LEGISLATIVE

Section 1 All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

DEPARTMENT

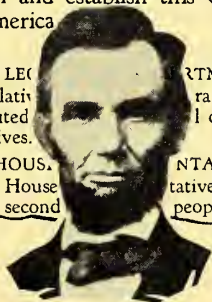
shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

THE HOUSE OF REPRESENTATIVES

Section 2 (1) The House of Representatives shall be composed of members chosen every second Year from the people of the several States

REPRESENTATIVES

shall be composed of members chosen every second Year from the people of the several States



Abraham Lincoln
INTERPRETS
The Constitution

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Lincoln National Life Foundation
Fort Wayne, Indiana

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LINCOLN INTERPRETS THE CONSTITUTION

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*"It is in the Constitution,
and I do not for that
cause, or any other cause,
propose to destroy, or
alter, or disregard the
Constitution. I stand to
it, fairly, fully and
firmly."* *A. Lincoln.*

Peoria, Illinois, October 16, 1854

LINCOLN INTERPRETS THE CONSTITUTION



THE ORIGINAL IDEA

The first book which Abraham Lincoln mentioned as having been read by him in his youth was a life of Washington by Weems. In this biography he learned that the father of the country, before entering upon the duties of his office as President, was obliged to take an oath that he would "preserve, protect, and defend the Constitution of the United States."

When Lincoln was on his way to the nation's capitol in 1861 to be inaugurated President, he made a talk before the Senate of New Jersey assembled at Trenton. Here in a community rich in historical lore of Revolutionary days, he recalled the stirring scenes which had been visualized for him in the old biography of his early years. He said:

"May I be pardoned if, upon this occasion, I mention that away back in my childhood, the earliest days of my being able to read, I got hold of a small book, such a one as few of the younger members have ever seen—Weems' 'Life of Washington.' I remember all the accounts there given of the battle-fields and struggles for the liberties of the country, and none fixed themselves upon my imagination so deeply as the struggle here at Trenton, New Jersey. The crossing of the river, the contest with the Hessians, the great hardships endured at that time, all fixed themselves on my memory more than any single Revolutionary event; and you all know, for you have all been boys, how these early impressions last

longer than any others. I recollect thinking then, boy even though I was, that there must have been something more than common that these men struggled for. I am exceedingly anxious that that thing—that something even more than national independence; that something that held out a great promise to all the people of the world to all time to come—I am exceedingly anxious that this Union, the Constitution, and the liberties of the people shall be perpetuated in accordance with the original idea for which that struggle was made, and I shall be most happy indeed if I shall be a humble instrument in the hands of the Almighty, and of this, his almost chosen people, for perpetuating the object of that great struggle.”

Address to the Senate of New Jersey, February 21, 1861

BREATHINGS FROM THE SACRED WALLS

It was on this same inaugural trip, while at Philadelphia where the Constitution was framed, that Lincoln felt the urge to make some very definite remarks about the famous instrument. In response to an address of welcome by the mayor of the city he said:

“Your worthy mayor has expressed the wish, in which I join with him, that it were convenient for me to remain in your city long enough to consult your merchants and manufacturers; or, as it were, to listen to those breathings rising within the consecrated walls wherein the Constitution of the United States, and, I will add, the Declaration of Independence, were originally framed and adopted. I assure you and your mayor that I had hoped on this occasion, and upon all occasions during my life, that I shall do nothing inconsistent with the teachings of these holy and most sacred walls. I have never asked anything that does not breathe from those walls. All my political warfare has been in favor of the teachings that come forth from these sacred walls. May my right hand

forget its cunning and my tongue cleave to the roof of my mouth if ever I prove false to those teachings."

Reply to Mayor of Philadelphia, Pennsylvania, February 21, 1861

FRAMING THE CONSTITUTION

One year before this informal talk at Philadelphia, Lincoln had delivered an address at Cooper Union in New York which revealed a thorough understanding of our basic American doctrines. At this time with an audience composed of the most intelligent group of people ever assembled in New York City to hear an address, among other questions, he referred to the framing of the Constitution and remarked:

"What is the frame of government under which we live? The answer must be, 'The Constitution of the United States.' That Constitution consists of the original, framed in 1787, and under which the present government first went into operation, and twelve subsequently framed amendments, the first ten of which were framed in 1789. Who were our fathers that framed the Constitution? I suppose the 'thirty-nine' who signed the original instrument may be fairly called our fathers who framed that part of the present government. It is almost exactly true to say they framed it, and it is altogether true to say they fairly represented the opinion and sentiment of the whole nation at that time . . . the present frame of 'the government under which we live' consists of that original, and twelve amendatory articles framed and adopted since . . . It is surely safe to assume that the thirty-nine framers of the original Constitution, and the seventy-six members of the Congress which framed the amendments thereto, taken together, do certainly include those who may be fairly called 'our fathers who framed the government under which we live.' . . . I do not mean to say we are bound to follow implicitly in whatever our fathers did. To do so would be to discard all the lights of current experience—to reject all progress, all im-

provement. What I do say is that if we would supplant the opinions and policy of our fathers in any case, we should do so upon evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand."

Address at Cooper Institute, New York, February 27, 1860

WHERE KINGS HAVE STOOD

During Abraham Lincoln's term in Congress a preamble was presented affirming that the Mexican War existed "by the act of Mexico." Lincoln voted against the preamble as he believed the President of the United States was responsible for beginning the war. Lincoln's law partner, Herndon, misunderstood the reason for the vote and inquired about it. Lincoln replied:

"That vote affirms that the war was unnecessarily and unconstitutionally commenced by the President; and I will stake my life that if you had been in my place you would have voted just as I did. Would you have voted what you felt and knew to be a lie? I know you would not. Would you have gone out of the House—skulked the vote? I expect not."

Letter to William Herndon, February 1, 1848

Herndon, however, was not entirely satisfied with Lincoln's explanation of the vote and Lincoln took occasion to write to him again in which he discussed the constitutional power of the President. The letter follows in part:

"Washington, February 15, 1848.

"Dear William: Your letter of the 29th January was received last night. Being exclusively a constitutional argument, I wish to submit some reflections upon it in the same spirit of kindness that I know actuates you. Let me first state what I understand to be your position. It is that if it shall become necessary to repel invasion, the President may, without viola-

tion of the Constitution, cross the line and invade the territory of another country, and that whether such necessity exists in any given case the President is the sole judge.

“Allow the President to invade a neighboring nation whenever he shall deem it necessary to repel an invasion, and you allow him to do so whenever he may choose to say he deems it necessary for such purpose, and you allow him to make war at pleasure. Study to see if you can fix any limit to his power in this respect, after having given him so much as you propose. If to-day he should choose to say he thinks it necessary to invade Canada to prevent the British from invading us, how could you stop him? You may say to him, ‘I see no probability of the British invading us’; but he will say to you, ‘Be silent: I see it, if you don’t.’

“The provision of the Constitution giving the war-making power to Congress was dictated, as I understand it, by the following reasons: Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no one man should hold the power of bringing this oppression upon us. But your view destroys the whole matter, and places our President where kings have always stood. Write soon again.

“Yours truly,

“A. Lincoln.”

Letter to William Herndon, February 15, 1848

TRANSFERRING LEGISLATION

The address on “General Taylor and the Veto” probably is the best-known speech which Lincoln delivered during his term in Congress. In this address he stressed the constitu-

tional rights of the President with respect to the veto. He said:

“My friend from Indiana (C. B. Smith) has aptly asked, ‘Are you willing to trust the people?’ Some of you answered substantially, ‘We are willing to trust the people; but the President is as much the representative of the people as Congress.’ In a certain sense, and to a certain extent, he is the representative of the people. He is elected by them, as well as Congress is; but can he, in the nature of things, know the wants of the people as well as three hundred other men, coming from all the various localities of the nation? If so, where is the propriety of having a Congress? That the Constitution gives the President a negative on legislation, all know; but that this negative should be so combined with platforms and other appliances as to enable him, and in fact almost compel him, to take the whole of legislation into his own hands, is what we object to, is what General Taylor objects to, and is what constitutes the broad distinction between you and us. To thus transfer legislation is clearly to take it from those who understand with minuteness the interests of the people, and give it to one who does not and cannot so well understand it.”

Speech in the United States House of Representatives, July 27, 1848

CONSTITUTIONAL RIGHTS

The day following Lincoln's arrival at Washington for the inauguration he was called upon to reply to a serenade, which he did in these words:

“I hope that, if things shall go along as prosperously as I believe we all desire they may, I may have it in my power to remove something of this misunderstanding; that I may be enabled to convince you, and the people of your section of the country, that we regard you as in all things our equals, and

in all things entitled to the same respect and the same treatment that we claim for ourselves; that we are in no wise disposed, if it were in our power, to oppress you, to deprive you of any of your rights under the Constitution of the United States, or even narrowly to split hairs with you in regard to these rights, but are determined to give you, as far as lies in our hands, all your rights under the Constitution—not grudgingly, but fully and fairly.”

Reply to a Serenade at Washington, D. C., February 28, 1861

AN OATH REGISTERED IN HEAVEN

On March 4, 1861, Abraham Lincoln was inaugurated President of the United States. In his inaugural address he referred to the Constitution repeatedly. Without any attempt to coordinate the separate excerpts, they are arranged in the order in which they appear in the speech:

“In compliance with a custom as old as the government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President ‘before he enters on the execution of his office’.

“I take the official oath to-day with no mental reservations, and with no purpose to construe the Constitution or laws by any hypercritical rules. And while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to and abide by all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having them held to be unconstitutional.

“I hold that, in contemplation of universal law and of the Constitution, the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all

national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever—it being impossible to destroy it except by some action not provided for in the instrument itself.

“I therefore consider that, in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part; and I shall perform it so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it will constitutionally defend itself and maintain itself.

“All profess to be content in the Union if all constitutional rights can be maintained. Is it true, then, that any right, plainly written in the Constitution, has been denied? I think not. Happily the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If by the mere force of numbers a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution—certainly would if such a right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guarantees and prohibitions, in the Constitution, that controversies never arise concerning them.

“By the frame of the government under which we live, this same people have wisely given their public servants but little power for mischief; and have, with equal wisdom, provided for the return of that little to their own hands at very short

intervals. While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years.

“In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government, while I shall have the most solemn one to ‘preserve, protect, and defend it’.”

First Inaugural Address, March 4, 1861

THE SUPREME LAW

Abraham Lincoln's position with respect to the Dred Scott decision has often been misunderstood. In his reply to Douglas in the Galesburg Debate we get a clear picture of just how Lincoln felt with respect to the decision. He excerpted from the opinion handed down by the Supreme Court their conclusion about the right of property in a slave, and proceeded in his argument as follows:

“The essence of the Dred Scott case is compressed into the sentence which I will now read: ‘Now, as we (Supreme Court) have already said in an earlier part of this opinion, upon a different point, the right of property in a slave is distinctly and expressly affirmed in the Constitution.’ I repeat it, ‘the right of property in a slave is distinctly and expressly affirmed in the Constitution!’ What is it to be ‘affirmed’ in the Constitution? Made firm in the Constitution—so made that it cannot be separated from the Constitution without breaking the Constitution—durable as the Constitution, and part of the Constitution? Now, remembering the provision of the Constitution which I have read, affirming that the instrument is the

supreme law of the land; that the judges of every State shall be bound by it, any law or constitution of any State to the contrary notwithstanding; that the right of property in a slave is affirmed in that Constitution, is made, formed into, and cannot be separated from it without breaking it; durable as the instrument, part of the instrument,—what follows as a short and even syllogistic argument from it? I think it follows, and I submit to the consideration of men capable of arguing, whether as I state it, in syllogistic form, the argument has any fault in it?

“Nothing in the constitution or laws of any State can destroy a right distinctly and expressly affirmed in the Constitution of the United States.

“The right of property in a slave is distinctly and expressly affirmed in the Constitution of the United States.

“Therefore, nothing in the constitution or laws of any State can destroy the right of property in a slave.

“I believe that no fault can be pointed out in that argument; assuming the truth of the premises, the conclusion, so far as I have capacity at all to understand it, follows inevitably. There is a fault in it, as I think, but the fault is not in the reasoning; the falsehood, in fact, is a fault in the premises. I believe that the right of property in a slave is not distinctly and expressly affirmed in the Constitution, and Judge Douglas thinks it is. I believe that the Supreme Court and the advocates of that decision may search in vain for the place in the Constitution where the right of property in a slave is distinctly and expressly affirmed. I say, therefore, that I think one of the premises is not true in fact. But it is true with Judge Douglas. It is true with the Supreme Court who pronounced it. They are estopped from denying it, and being estopped from denying it, the conclusion follows that the Constitution of the United States, being the supreme law, no constitution or law can interfere with it. It being affirmed in the decision that the right of property in a slave is distinctly

and expressly affirmed in the Constitution, the conclusion inevitably follows that no State law or constitution can destroy that right."

Lincoln's Reply to Douglas in Galesburg Debate, October 7, 1858

MORE WOULD BE REVOLUTION

On another occasion Lincoln referred to the Dred Scott decision by the Supreme Court and left no uncertainty in the minds of his hearers as to whether or not he was resisting the decision of the court. He said:

"And now as to the Dred Scott decision. That decision declares two propositions—first, that a negro cannot sue in the United States courts; and secondly, that Congress cannot prohibit slavery in the Territories. It was made by a divided court—dividing differently on the different points. Judge Douglas does not discuss the merits of the decision, and in that respect I shall follow his example, believing I could no more improve on McLean and Curtis than he could on Taney. He denounces all who question the correctness of that decision, as offering violent resistance to it. But who resists it? Who has, in spite of the decision, declared Dred Scott free, and resisted the authority of his master over him?

"Judicial decisions have two uses—first, to absolutely determine the case decided; and secondly, to indicate to the public how other similar cases will be decided when they arise; for the latter use, they are called 'precedents' and 'authorities.'

"We believe as much as Judge Douglas (perhaps more) in obedience to, and respect for, the judicial department of government. We think its decisions on constitutional questions, when fully settled, should control not only the particular cases decided, but the general policy of the country, subject to be

disturbed only by amendments of the Constitution as provided in that instrument itself. More than this would be revolution. But we think the Dred Scott decision is erroneous. We know the court that made it has often overruled its own decisions, and we shall do what we can to have it to overrule this. We offer no resistance to it."

Speech in Springfield, Illinois, June 26, 1857

NEW HANDS HAVE NEVER TOUCHED IT

Lincoln's mention of amending the Constitution recalls some statements made by him as a representative in Congress which reveal he was no more in favor of amending the Constitution than he was in resisting it, although he was responsible for the proclamation that finally required an amendment to the instrument which was passed shortly after his death. Lincoln lived to be fifty-six years old but did not survive to see the amendment. His reverence for it is appropriately expressed in these words:

"I have already said that no one who is satisfied of the expediency of making improvements needs be much uneasy in his conscience about its constitutionality. I wish now to submit a few remarks on the general proposition of amending the Constitution. As a general rule, I think we would much better let it alone. No slight occasion should tempt us to touch it. Better not take the first step, which may lead to a habit of altering it. Better, rather, habituate ourselves to think of it as unalterable. It can scarcely be made better than it is. New provisions would introduce new difficulties, and thus create and increase appetite for further change. No, sir; let it stand as it is. New hands have never touched it. The men who made it have done their work, and have passed away. Who shall improve on what they did?"

Speech in the United States House of Representatives, June 20, 1848

CLEARING HIS OATH

One of the questions which grew out of the Dred Scott case was the enactment of proper laws which would allow owners of slaves to protect their property. Lincoln took occasion in the debate with Douglas at Jonesboro to touch upon this subject. He said:

"I will ask you, my friends, if you were elected members of the legislature, what would be the first thing you would have to do before entering upon your duties? Swear to support the Constitution of the United States . . . What do you understand by supporting the Constitution of a State, or of the United States? Is it not to give such constitutional helps to the rights established by that Constitution as may be practically needed? Can you, if you swear to support the Constitution, and believe that the Constitution establishes a right, clear your oath, without giving it support? Do you support the Constitution if, knowing or believing there is a right established under it which needs specific legislation, you withhold that legislation? Do you not violate and disregard your oath? I can conceive of nothing plainer in the world. There can be nothing in the words 'support the Constitution,' if you may run counter to it by refusing support to any right established under the Constitution . . . Is not Congress itself bound to give legislative support to any right that is established in the United States Constitution? A member of Congress swears to support the Constitution of the United States, and if he sees a right established by that Constitution which needs specific legislative protection, can he clear his oath without giving that protection?"

From Lincoln's Reply to Douglas, Jonesboro Debate, September 15, 1858

GOOD MEDICINE

Two instances are often cited where Lincoln is said to have violated the Constitution: one, his decision in the Vallandigham

ham Case, and the other, the issuing of the Emancipation Proclamation.

The arrest of Clement L. Vallandigham for "laboring with some degree of success to prevent the raising of troops, to encourage desertions from the army, and to leave the rebellion without an adequate military force to suppress it" caused a set of resolutions to be drawn up by Vallandigham's friends and laid before the President. The main argument in these resolutions was that his arrest was unconstitutional. The case was of such importance that Lincoln prepared a long brief with respect to the merits of the charges preferred. A few of the arguments he used to sustain the officer making the arrest are submitted:

"Ours is a case of rebellion—so called by the resolutions before me—in fact, a clear, flagrant, and gigantic case of rebellion; and the provision of the Constitution that 'the privilege of the writ of *habeas corpus* shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it,' is the provision which specially applies to our present case. This provision plainly attests the understanding of those who made the Constitution that ordinary courts of justice are inadequate to 'cases of rebellion'—attests their purpose that, in such cases, men may be held in custody whom the courts, acting on ordinary rules, would discharge. *Habeas corpus* does not discharge men who are proved to be guilty of defined crime; and its suspension is allowed by the Constitution on purpose that men may be arrested and held who cannot be proved to be guilty of defined crime, 'when, in cases of rebellion or invasion, the public safety may require it.'

"This is precisely our present case—a case of rebellion wherein the public safety does require the suspension."

"If I be wrong on this question of constitutional power, my error lies in believing that certain proceedings are constitutional when, in cases of rebellion or invasion, the public safety requires them, which would not be constitutional when.

in absence of rebellion or invasion, the public safety does not require them: in other words, that the Constitution is not in its application in all respects the same in cases of rebellion or invasion involving the public safety, as it is in times of profound peace and public security. The Constitution itself makes the distinction, and I can no more be persuaded that the government can constitutionally take no strong measures in time of rebellion, because it can be shown that the same could not be lawfully taken in time of peace, than I can be persuaded that a particular drug is not good medicine for a sick man because it can be shown to not be good food for a well one."

Letter to Erastus Corning and Others, June 12, 1863

THE LAW OF WAR IN 'TIME OF WAR

A committee from the religious organizations of Chicago called upon Lincoln, September 13, 1862, and asked him to issue a proclamation of emancipation. His reply contains one of his first reactions toward the constitutionality of the proclamation which he finally issued. He said:

"Understand, I raise no objections against it on legal or constitutional grounds; for, as commander-in-chief of the army and navy in time of war I suppose I have a right to take any measure which may best subdue the enemy. . . . Let me say one thing more: I think you should admit that we already have an important principle to rally and unite the people, in the fact that constitutional government is at stake. This is a fundamental idea going down about as deep as anything."

Reply to a Committee from the Religious Organizations of Chicago, September 13, 1862

It is well known that Lincoln was waiting for a Union victory before presenting the preliminary Emancipation Proc-

lamation. When McClellan's success at Antietam was reported, he prepared at once to release the instrument; and, in due season on January 1, 1863, the final Emancipation Proclamation was issued. The first and last paragraphs of the writing give the President's reaction as to its constitutionality in these words:

"Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as commander-in-chief of the army and navy of the United States, in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, etc. . . .

"And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God."

A letter written to J. C. Conkling further confirms Lincoln's belief in his constitutional right in issuing the proclamation. His comments follow:

"I freely acknowledge myself the servant of the people, according to the bond of service—the United States Constitution—and that, as such, I am responsible to them. . . . You dislike the emancipation proclamation, and perhaps would have it retracted. You say it is unconstitutional. I think differently. I think the Constitution invests its commander-in-chief with the law of war in time of war."

Letter to J. C. Conkling, August 26, 1863

ABSOLUTISM

Another reaction towards the Emancipation Proclamation as viewed through the Constitution is found in a note to Secretary Chase. Lincoln wrote:

"Executive Mansion, Washington, September 2, 1863.

"Hon. Salmon P. Chase.

My dear Sir: Knowing your great anxiety that the Emancipation Proclamation shall now be applied to certain parts of Virginia and Louisiana which were exempted from it last January, I state briefly what appear to me to be difficulties in the way of such a step. The original proclamation has no constitutional or legal justification, except as a military measure. The exemptions were made because the military necessity did not apply to the exempted localities. Nor does that necessity apply to them now any more than it did then. If I take the step, must I not do so without the argument of military necessity, and so without any argument except the one that I think the measure politically expedient and morally right? Would I not thus give up all footing upon the Constitution or law? Would I not thus be in the boundless field of absolutism? Could this pass unnoticed or unresisted? Could it fail to be perceived that without any further stretch I might do the same in Delaware, Maryland, Kentucky, Tennessee, and Missouri, and even change any law in any State? Would not many of our own friends shrink away appalled? Would it not lose us the elections, and with them the very cause we seek to advance.

"A. Lincoln."

No statement of Lincoln gives a more concise opinion of the constitutionality of the Emancipation Proclamation than the letter written to O. G. Hodges of Kentucky in April, 1864. Lincoln wrote in part:

"It was in the oath I took that I would, to the best of my ability, preserve, protect, and defend the Constitution of the United States. I could not take the office without taking the oath. Nor was it my view that I might take an oath to get power, and break the oath in using the power. I understood, too, that in ordinary civil administration this oath even for-

bade me to practically indulge my primary abstract judgment on the moral question of slavery. I had publicly declared this many times, and in many ways. And I aver that, to this day, I have done no official act in mere deference to my abstract judgment and feeling on slavery. I did understand, however, that my oath to preserve the Constitution to the best of my ability imposed upon me the duty of preserving, by every indispensable means, that government—that nation, of which that Constitution was the organic law. Was it possible to lose the nation and yet preserve the Constitution? By general law, life and limb must be protected, yet often a limb must be amputated to save a life; but a life is never wisely given to save a limb. I felt that measures otherwise unconstitutional might become lawful by becoming indispensable to the preservation of the Constitution through the preservation of the nation. Right or wrong, I assumed this ground, and now avow it. I could not feel that, to the best of my ability, I had even tried to preserve the Constitution, if, to save slavery or any minor matter, I should permit the wreck of government, country, and Constitution all together.”

Letter to O. G. Hodges, April 4, 1864



The people of these United States are the rightful masters of both congresses and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution.—*Speech at Cincinnati, September 17, 1859.*

CONSTITUTION BRIEFS

I am exceedingly anxious that this Union, the Constitution, and the liberties of the people shall be perpetuated.—*Speech at Trenton, N. J., Feb. 21, 1861.*

Continue to execute all the express provisions of our national Constitution and the Union will endure forever.—*First Inaugural, March 4, 1861.*

I hold that in contemplation of universal law and of the Constitution, the Union of these states is perpetual.—*First Inaugural, March 4, 1861.*

Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied.—*First Inaugural, March 4, 1861.*

It is in the Constitution, and I do not for that cause, or any other cause, propose to destroy or alter, or disregard the Constitution.—*Speech at Peoria, Ill., Oct. 16, 1854.*

We are determined to give you, as far as lies in our hands, all your rights under the Constitution, not grudgingly, but fully and fairly.—*Washington, Feb. 28, 1861.*

One duty paramount to all others was before me, namely, to maintain and preserve at once the Constitution and the integrity of the Federal Republic.—*Letter to workingmen of Manchester, Eng., Jan. 19, 1863.*

I freely acknowledge myself the servant of the people, according to the bond of service—the United States Constitution—and that as such I am responsible to them.—*Letter to Conklin, Aug. 26, 1863.*

The Constitution itself is not altogether such as anyone of its framers would have preferred. It was the joint work of all and certainly the better that it was so.—*Writing—Aug. 15, 1863.*

No one who has sworn to support the Constitution can conscientiously vote for what he understands to be an unconstitutional measure, however expedient he may think it.—*Cooper Institute Address, Feb. 27, 1860.*

If by the mere force of numbers a majority should deprive a minority of any clearly written constitutional rights, it might in a moral point of view, justify revolution.—*First Inaugural, March 4, 1861.*

